

March 15, 1996

William G. Holt, President  
Box Elder Creek Water Users Assn.  
P.O. Box #1  
Brigham City, Utah 84302-3210

Dear Mr. Holt:

At Mr. Morgan's request, I am writing to respond to your letter which we received on March 12, 1996. Enclosed is the information you requested; a list of those who were invited to the meeting and a copy of the letter we received requesting that we consider appointing a commissioner for Box Elder Creek.

In reading your letter, I am afraid that you have misunderstood our purpose in holding the meeting on March 20th. It is not our intent to organize a distribution system or appoint a commissioner at this time. The purpose of this meeting for our office is to gather information and gain a better understanding of the problems and concerns of the water users on Box Elder Creek as expressed in the letter. The meeting will also give us an opportunity to explain to the water users how distribution systems are organized and the role and authority of water commissioners appointed by the State Engineer.

The State Engineer has the authority to determine if a commissioner is needed in an area, however, it is our policy to make this decision in consultation with the affected water users. This meeting begins that consultation process. If it is decided that a commissioner would help resolve the distribution issues on Box Elder Creek, that appointment would be made in 1997 at the very earliest.

Since this is a meeting for discussion purposes only and no binding decisions will be made at this time, we believe that the meeting should not be postponed. It will be important to us to hear your association's perspective on the situation, so we hope that you will attend the meeting. If you have any further questions regarding the meeting, please contact me at 538-7380.

Sincerely,

Lee H. Sim, P.E.  
Assistant State Engineer  
For Distribution and Adjudication

cc: John Mabey, Assistant Attorney General  
Bob Fotheringham, Regional Engineer